

**MINUTES OF THE
MARICOPA ASSOCIATION OF GOVERNMENTS
TRANSPORTATION POLICY COMMITTEE MEETING**

February 16, 2005
MAG Office, Saguaro Room
Phoenix, Arizona

MEMBERS ATTENDING

Mayor Elaine Scruggs, Glendale, Chair	Mayor Boyd Dunn, Chandler
Councilmember Peggy Bilsten, Phoenix,	Rusty Gant, ADOT
Vice Chair	Mayor Hugh Hallman, Tempe
Kirk Adams, The Adams Agency	Mayor Keno Hawker, Mesa
F. Rockne Arnett, Citizens Transportation	* Eneas Kane, DMB Associates
Oversight Committee	Mayor Mary Manross, Scottsdale
* Mayor Ron Badowski, Wickenburg	Jacob Moore, Salt River Pima-Maricopa Indian
Stephen Beard, SR Beard & Associates	Community
* Mayor Steven Berman, Gilbert	David Scholl, Westcor
* Dave Berry, Swift Transportation	Councilmember Daniel Schweiker,
* Jed S. Billings, FNF Construction	Paradise Valley
Mayor James Cavanaugh, Goodyear	* Supervisor Don Stapley, Maricopa County
Councilmember Pat Dennis, Peoria	Mayor J. Woodfin Thomas, Litchfield Park
* Mayor Ron Drake, Avondale	
* Not present	
# Participated by telephone conference call	
+ Participated by videoconference call	

1. Call to Order

The meeting of the Transportation Policy Committee (TPC) was called to order by Chair Elaine Scruggs at 4:15 p.m.

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

Chair Scruggs stated that transit tickets for those who used transit to attend the meeting and parking garage ticket validation were available from MAG staff. She stated that materials for agenda items #7A and #10 were at each place.

9. Assignment of Terms of the Business Representatives to the TPC

This agenda item was taken out of order.

Chair Scruggs introduced and welcomed new members of the TPC: Kirk Adams from The Adams Agency, Steve Beard from SR Beard & Associates, and David Scholl from Westcor. She said that House Bill 2456 dictates the President of the Senate and the Speaker of the House shall each appoint three business representatives to the TPC. In accordance with the provisions of the statute, members are required to assign themselves by lot to terms of two, four and six years to serve on the TPC.

In alphabetical order by last name, lots for terms were drawn by members present and by Chair Scruggs for those not present. Those drawing two year terms were Dave Berry and Eneas Kane. Those drawing four year terms were Kirk Adams and Jed Billings. Those drawing six year terms were Steve Beard and David Scholl.

3. Call to the Audience

Chair Scruggs stated that an opportunity is provided to the public to address the Transportation Policy Committee on items that are not on the agenda that are within the jurisdiction of MAG, or non-action agenda items that are on the agenda for discussion or information only. Citizens will be requested not to exceed a three minute time period for their comments. She noted that an opportunity is provided to comment on agenda items posted for action at the time the item is heard.

Chair Scruggs recognized public comment from Blue Crowley, who said that he would comment on agenda items #5, #9, and #10. He said that he had a problem with contracts awarded to one of the TPC members. Chair Scruggs informed Mr. Crowley that contacting the President of the Senate or Speaker of the House on this issue would be more appropriate. Mr. Crowley stated that he did not feel it appropriate that CTOC is on the committee that put the plan together and then on the committee that reviews it. He stated that he agreed with opposing pending legislation on CTOC. Mr. Crowley stated that he had asked questions on the restructuring of CTOC mandated by legislation, but did not receive any answers. Chair Scruggs thanked Mr. Crowley for his comments and suggested that he consult the legislation to see how the appointments were made.

4. Approval of November 17, 2004 Meeting Minutes

Vice Chair Bilsten moved to approve the November 17, 2004 meeting minutes. Mayor Cavanaugh seconded, and the motion carried unanimously.

5. Conformity Consultation

MAG is conducting consultation on a conformity assessment for an amendment to the FY 2004-2007 MAG Transportation Improvement Program. The proposed amendment includes Arizona Department of Transportation projects and a City of Peoria transportation Enhancement funded project for addition to FY 2005. The amendment includes projects that may be categorized as exempt from conformity determinations. Chair Scruggs stated that his item was on the agenda for consultation. No comments from the TPC were noted.

8. Proposed Formation of a Freeway Maintenance/ Noise Mitigation Subcommittee

This agenda item was taken out of order.

Tom Remes stated that during the development of the Regional Transportation Plan, there was much discussion and concern for litter pickup, noise mitigation and landscaping on the freeways. He stated that the voter approved Regional Transportation Plan includes \$279 million for freeway maintenance and \$75 million for freeway noise mitigation. Mr. Remes said that to ensure accountability, it is recommended that a subcommittee of the TPC be formed to develop guidelines policy on using these funds. He said that the recommendations developed by the subcommittee would be considered by the TPC. Mr. Remes noted that the subcommittee would work with ADOT, and recommendations would ensure that state funds would not be supplanted by the Proposition 400 funds. Mr. Remes said that the subcommittee would probably meet monthly at the beginning, and less frequently later on. He added that technical expertise would be offered to assist the subcommittee. Mr. Remes stated that TPC members are requested to submit their names to serve on the subcommittee.

Chair Scruggs recognized public comment from Susan Forbes, a resident of Tempe. Ms. Forbes expressed concerns for the freeway noise on Loop 202 between McClintock and Mill Avenue. She said that she hoped that the TPC would notice that this is an issue important to the residents in the area. Ms. Forbes requested that a recommendation be made that the application of rubberized asphalt be pushed forward as soon as possible. She questioned why those freeways built later have had rubberized asphalt applied and this area has not yet received it. Chair Scruggs thanked Ms. Forbes for her comments.

Chair Scruggs recognized public comment from Gene Andres, a resident of Tempe. He said that he is Vice President of the North Tempe Neighborhood Association. Mr. Andres stated that a lack of noise from the freeway is something they are interested in achieving and will improve their quality of life. Mr. Andres said that advances in technology have provided a method to control freeway noise. He stated that the North Tempe residents are asking the TPC to help them enjoy a good quality of life. He added that the North Tempe area includes 10,000 residents and is a growing community. Mr. Andres said that the residents of North Tempe appeal to the TPC to accelerate the schedule for applying rubberized asphalt to Loop 202 between Priest and Loop 101. Chair Scruggs thanked Mr. Andres for his comments. She requested that staff provide the citizens with information on how the decisions on rubberized asphalt applications were made by ADOT through Governor Hull's office, in addition to the sources for funding the application and how Tempe could request advancement of its projects.

Chair Scruggs stated that Vice Chair Bilsten championed the funding of litter pickup, noise mitigation and landscaping on the freeways during the development of the Regional Transportation Plan. Chair Scruggs stated that because of this, she was requesting that Vice Chair Bilsten chair the subcommittee. In addition, Chair Scruggs expressed that the subcommittee would be balanced geographically. She requested that the subcommittee meeting prior to the next TPC meeting on March 16, 2005. Chair Scruggs requested that those interested in serving should contact Vice Chair Bilsten and Tom Remes.

Mayor Thomas asked for clarification if only TPC members would comprise the subcommittee. He said that other mayors have expressed an interest in this issue. Mr. Remes replied that since the group was a subcommittee of the TPC, this denotes that membership is drawn from members of the TPC. However, the meetings will be open, posted meetings that all are welcome to attend. He added that comments and input could be accommodated.

Mayor Hallman volunteered to serve on the subcommittee.

Chair Scruggs then welcomed and introduced another new member of the TPC, Jacob Moore. Mr. Moore apologized for the delay in his arrival to the meeting. He expressed his thanks to the TPC for providing the opportunity for him to participate. Mr. Moore stated that the Salt River Pima-Maricopa Indian Community deals with the same issues as other communities. He said that he has an interest in working on these issues with the TPC and looked forward to participating.

6. MAG Arterial Life Cycle Program Interim Advancement Policy

Eric Anderson provided a report on the interim advancement policy for the Arterial Life Cycle Program. He said that an interim policy was needed to provide a policy for the process and reimbursement for projects proposed for advancement in the MAG FY 2006-2010 Transportation Improvement Program that is currently in development. Mr. Anderson noted that advanced projects will only be reimbursed in the fiscal year or phase in which they were programmed or scheduled before the proposed advancement. Mr. Anderson stated that the Interim Policy is similar to the adopted Freeway Acceleration Policy and ensures that other projects would not be negatively impacted by the advancement of a project. He stated that the Management Committee discussed reimbursement for inflation. He advised that the way the Interim Policy is currently written there is no provision for inflation, only reimbursement for actual costs. Mr. Anderson then explained that under the Freeway Acceleration Policy there is a sharing of inflation costs. He commented that the inflation factor could be included, if directed.

Chair Scruggs asked when discussion and action were anticipated for the final policies? Mr. Anderson replied that all policies would be on the March TPC agenda for information. He said that he anticipated final action could be taken in May 2005.

Mayor Hawker asked if the interim policy changed to a 50/50 split how that might affect the TIP? Mr. Anderson replied that would not affect the TIP at all. He stated that if policy changed and a community changed its mind, the TIP would need to be amended to remove the project. Mr. Anderson commented that with no inflation reimbursement, there might be fewer advancements. Mr. Anderson stated that he felt an interim policy would be decided before approval of the final TIP in June or July. He advised that funding allocations can be changed without endangering the conformity analysis. Mayor Hawker asked if there was any consideration for not doing 50/50 but some clearing at the end of 20 years? He commented that if a lot of projects were advanced, there could be a lot of savings. Mr. Anderson replied that the policy could be revisited in the future and perhaps do retroactive reimbursements. He remarked that he was not sure about reimbursement for projects at the end of 20 years that were done in 2006. Mr. Anderson spoke about having excess revenue from the sales tax. He indicated that this might be a reason to revisit this policy. Mr. Anderson added that projects might be added; or if there is lower revenue, reimbursement schedules would need to be pushed back. He stated that staff was trying to take the conservative, fiscally responsible approach.

Mayor Cavanaugh asked at which point in the five-year block would a city be reimbursed for an advanced project. Mr. Anderson replied that different options are being considered, including a lot system. Mr. Anderson also mentioned that there might be a better indication on this after all projects are set in their individual years in May or June as part of the 20-year Life Cycle Program.

Vice Mayor Dennis commented on possible savings that might be realized. She suggested that if additional funds become available, completion of the program would be a priority over expanding it.

Mr. Anderson noted that if the program is in a positive cash situation, existing projects could be accelerated and new projects could be added at the end. Mr. Anderson remarked that the intention was to keep the projects in the same order through the 20 years.

Chair Scruggs recognized public comment from Mr. Crowley, who said that nine percent of the half cent sales tax fund was an insufficient amount for streets. Mr. Crowley stated that most of the growth will be in the unincorporated areas of the County and that is where streets will be needed. He also said that he wondered if the Wickenburg Bypass was a freeway or arterial. Mr. Crowley said that the County needed to be on the TPC, or else how would they be able to input into the process. He suggested that the arterial around South Mountain be done until the freeway is completed. Chair Scruggs thanked Mr. Crowley for his comments. She added that Supervisor Don Stapley had been a member of the TPC since the beginning of the committee and had done fine work on the development of the Regional Transportation Plan. Chair Scruggs asked Mr. Smith what the County's plans were because it has a new Chair. Mr. Smith replied that the County is also in the process of changing its member on the TPC to Supervisor Max Wilson, who is currently recovering from bypass surgery.

Mayor Hallman moved to recommend accepting the Arterial Life Cycle Program Interim Advancement Policy. Mayor Manross seconded, and the motion carried unanimously.

7A. Transit Element of the Draft FY 2006-2010 MAG Transportation Improvement Program

Bob Antila, Valley Metro/RPTA, provided an overview of the recommended projects to be included in the transit element of the draft FY 2006-2010 MAG Transportation Improvement Program (TIP), and also provide information on the process used to develop the program. He noted that the list of projects was revised to reflect a minor change has been made to show four City of Mesa transit projects as Valley Metro projects. Mr. Antila stated that over the last several months, a transit TIP working group, composed of staff from Valley Metro and cities and agencies regionwide, met to review the transit project prioritization guidelines and all of the transit projects requesting federal transit funds through 2010. Mr. Antila noted that new projects for 2008, 2009, and 2010 were submitted through the MAG TIP process in September. Agencies submit any changes, adjustments, or new project requests they had for years 2006 and 2007, mainly to incorporate projects identified in the Regional Transportation Plan that were not already included in the TIP for these years. He indicated that the working group reviewed and discussed each year's project requests, existing projects in each year of the current TIP, the projections of federal transit funding, and the RTP and prepared a prioritized list of projects for consideration by the Valley Metro Transit Management Committee. Mr. Antila stated that the Valley Metro Transit Management Committee reviewed and discussed the list of projects and forwarded the list for consideration by the Management Committee. Mr. Antila advised that the life cycle program for the transit element of the RTP continues to be developed and cost estimates for many of these projects continue to be refined. He stated that once the Transit Life Cycle Program is complete this spring, and additional cost data are developed, changes to each of the TIP years will need to be made. He said that the TIP group will then meet again and return to the MAG committees in the future with recommendations for any adjustments that may be needed. Chair Scruggs thanked Mr. Antila for his report.

Mayor Thomas asked if there was a standard model for construction costs on park and ride lots. He noted the cost for the Goodyear facility at \$2.5 million and for the Phoenix facility at \$4 million. Mr.

Antila responded that the Phoenix facility originally was considered as a decked parking lot. He added that a study was done by a consultant to explain the rationale for the cost.

Chair Scruggs recognized public comment from Mr. Crowley, who said that light rail stops are being taken care of, but not the bus stops. He stated that there will be \$25 million spent on 32 light rail stops. He said that many bus stops are not up to standard and not all cities even have stops. Mr. Crowley stated that \$50 million is being spent on bus and \$578 million on light rail—a 10 to one ratio and the overall cost is 12 to one. He said that each rail stop cost as much as 55 bus stops. How many communities need to have transit now? Mr. Crowley commented on finishing the Deck Park tunnel and requested that ADOT provide him with the IGA. Mr. Crowley stated that this is a countywide regional plan and we need service 24 hours a day, seven days a week. Chair Scruggs thanked Mr. Crowley for his comments.

Mayor Hawker expressed concern that the RPTA Board will be meeting on February 17, 2005, after action on the Transit Element has been taken by the TPC. Mayor Hawker stated that having full coordination of modes at the same time using the same analysis and policies.

Vice Mayor Dennis, as Chair of the RPTA Board, expressed that because this was federal money in the TIP and not necessarily Proposition 400 money, she did not feel this could not be moved forward. She indicated that in discussions with city staff, she did not feel there was a conflict.

Mayor Manross commented that the requested action was to recommend approval for the purpose of public review and comment and asked for clarification that the transit element was not final. Mr. Smith added that there was still one month for changes to be made. He said that making changes would be difficult after the program is approved for a conformity analysis. Mr. Smith stated that the transit element has been reviewed by the RPTA Transit Management Committee, the MAG Transportation Review Committee, and the MAG Management Committee. He stated that this process would work similar to the process MAG uses with ADOT in developing projects for the regional freeway system. Mr. Smith added that the ADOT Board does not approve projects before they come to MAG.

Mayor Thomas commented on agenda item #7C. He encouraged that the alignment be maintained for Loop 202, I-10 west to 51st Avenue, as identified in the original 1985 plan.

Chair Scruggs stated that Mayor Hawker had identified a difficult situation. She said that everyone is trying to find a comfort level with one body taking action followed by action by another body. Chair Scruggs stated that she agreed with finding a way to smooth the situation. She expressed her appreciation to Vice Mayor Dennis for looking into this.

Vice Mayor Dennis stated that staff needs to be allowed to proceed with their work so it can move forward and then bringing it back to the TPC.

Mayor Thomas moved to recommend approval of projects to be included in the transit element of the draft FY 2006-2010 MAG Transportation Improvement Program (TIP) for the purpose of public review and comment. Mayor Hallman seconded, and the motion carried unanimously.

7B. Regional Arterial Life Cycle Program

The Regional Transportation Plan (RTP) allocates a portion of the funds available from extension of the one-half cent sales tax, some CMAQ and some STP-MAG funds for a series of road widening and intersection improvement projects. These projects have been identified in four distinct five-year 'phases.' A draft program of projects lists the expected implementation time frame for each project including (in many cases, but not all), predesign, design, acquisition of right-of-way and construction phases. The current focus is on the first five years with the understanding that the FY 2006-2010 draft TIP needs to be consistent with the RTP. Changes to the five-year program are expected, but will be made consistent with the RTP descriptions, at this stage. The MAG Transportation Review Committee and the Management Committee recommended approval for the purpose of public review and comment.

Vice Mayor Dennis asked why no regional cost showed on the advancement of Loop 101 and Beardsley interchange, only local cost. Mr. Anderson replied that those are 2006-2007 projects. He said that staff will add a line on reimbursement, but because the cash flow on annual basis has not been finalized Peoria may not be able to be reimbursed in 2006. He said that staff is being careful to not over-promise.

Mayor Thomas moved to recommend approval of the FY 2006-2010 Regional Arterial Life Cycle Program for the purpose of public review and comment. Mayor Hallman seconded, and the motion carried unanimously.

7C. Draft Regional Freeway Program for FY 2006- 2010 and Amendment to the FY 2004-2007 MAG Transportation Improvement Program

MAG and ADOT have prepared a draft annual regional freeway program for the first phase of the Regional Transportation Plan (RTP), which covers the period from FY 2006 through FY 2010. The draft program follows the Phase 1 priorities and budgets established in the Regional Transportation Plan adopted on November 25, 2003. The draft program provides a more detailed plan for the projects including line items for right of way, design and engineering and construction where appropriate. The program also includes an initial plan for the expenditure of funds from the \$279 million landscape maintenance and litter control fund and the \$75 million mitigation fund that were established by the RTP and funded by Proposition 400. It is anticipated that the programming of the maintenance and litter control funds will be the subject of further review by the Transportation Policy Committee. Other adjustments to the TIP are also being recommended. The Management Committee recommended approval of the Draft FY 2006-2010 Regional Freeway Program for incorporation into the Draft TIP for public review and comment and recommended that the FY 2005 project changes be approved. No comments from the Committee were noted.

Mr. Arnett moved to recommend the Draft Regional Freeway Program for FY 2006-2010 for incorporation into the Draft Transportation Improvement Program (TIP) for public review and comment and to recommend that the FY 2005 project changes be approved and added to the FY 2004-2007 MAG TIP, including the Peoria Enhancement funded project. Mr. Beard seconded, and the motion carried unanimously.

7D. Recommendation of Projects for CMAQ and STP-MAG Funding in FYs 2008, 2009 and 2010 of the FY 2006-2010 MAG Transportation Improvement Program (MAG Federally Funded Program)

The MAG Regional Transportation Plan (RTP) targets all future MAG Federal Funds to specific modes and, in some cases, identified specific projects. For ITS, Bicycle, Pedestrian and Air Quality projects, the RTP identified funds but did not specify individual projects. Requests for projects for the MAG Federal funds expected to be available for FYs 2008, 2009 and 2010 have been received and ranked by modal technical advisory committees. The Transportation Review Committee and the Management Committee recommended approval of the projects for the purpose of public review and comment. No comments from the Committee were noted.

Mayor Thomas moved to recommend approval of the projects for CMAQ and STP-MAG discretionary funding in FYs 2008, 2009 and 2010 and to include those projects in the draft FY 2006-2010 MAG Transportation Improvement Program for public review and comment. Mr. Arnett seconded, and the motion carried unanimously.

10. Legislative Update

Mr. Remes stated that a resolution on TEA-21 Reauthorization was approved by the Executive Committee on February 14, 2005 and is on the agenda for ratification by the Regional Council on February 23, 2005. He said this is the same version as was approved by the Regional Council in February 2003, but adds an additional statement that includes PM-10 in the CMAQ allocation formula. He advised that PM-2.5, which is more important on the East Coast, was included in CMAQ formulas in draft reauthorization language; whereas, the PM-10 formula is more important to desert regions. Mr. Remes stated that the current reauthorization expires on May 31, 2005. He indicated that staff has heard that the total amount of reauthorization dollars is \$284 billion and that Congressman John Shadegg has been working on including PM-10 in the formula. Mr. Remes noted that Vice Mayor Dennis had been appointed to the National League of Cities Transportation Infrastructure and Services Policy and Advocacy Committee. He mentioned that Mayor Boyd Dunn and Phoenix Councilmember Doug Lingner also sit on that national transportation committee. Chair Scruggs thanked them for their hard work on the committee.

Chair Scruggs stated that the next TPC meeting would be March 16, 2005. She noted that important discussion will take place on the arterial guidelines process.

There being no further business, the meeting adjourned at 5:15 p.m.

Chair

Secretary